

cells are represented in drawings typically as hexagons. Further, these systems require the use of an antenna to link the encoded call to other transmission stations. In essence, the type of system shown in Alpert is simply an emergency alarm system that uses the vehicle battery to power the system components. The alarm features require separate electrical wiring, and software and hardware parts, increasing the cost and complexity of the system. Further, the Alpert system requires a separate roof cellular antenna 30 as shown in Figure 7.

Independent claim 7, as amended, sets forth that the claimed cellular phone uses an internal power source in contradistinction to the vehicle battery power source used in Alpert. In addition, Alpert does not disclose an image storage memory, this conclusion confirmed by being applicant's comments.

Dounies discloses a two piece security system which requires a regular phone jack and AC power (the battery is used as a backup power source). The device is designed for use in the home or office where conventional telephone jacks are available. Further, the memory means is external to the facsimile transmitter and not a part thereof.

Dependent claims 11 and 12 should be allowable, inter alia, for the reasons advanced as set forth hereinabove for the allowability of independent claim 7. It should be emphasized that examiner has determined that the combination of Alpert and Dounies references does not disclose the concept of pressing the emergency key once to send an alarm and pressing it a second time to send audio and image signals.

Dependent claim 13 should be allowable, inter alia, for the reasons advanced hereinabove for the allowability of independent claim 7 and dependent claim 12.

The rejection of claim 17 and 19 under 35 U.S.C. 103(a) as being unpatentable over Alpert in view of Dounies and Hashimoto et al is traversed, inter alia, for the same reasons advanced hereinabove for the allowance of independent claim 7.

The rejection of claim 18 as being unpatentable over Alpert in view of Dounies and Maeda is traversed, inter alia, for the same reasons advanced hereinabove for the allowance of independent claim 7. In this regard, examiner has also determined that the primary references fail to disclose a means for recording conversations between the cellular phone and another.

Regarding rejections under 35 U.S.C. 103, the "[D]etermination of obviousness can not be based on hindsight combination of components selectively culled from the prior art to fit parameters of the patented invention. There must be a teaching or suggestion within the prior art, or within the general knowledge of a person of ordinary skill in the field of the invention, to look to particular sources of information, to select particular elements, and to combine them in the way they were combined by the inventor". ADT Corp. v. Hydall Inc. 48 USPQ2d 1321, 1329 (Fed. Cir. 1998).

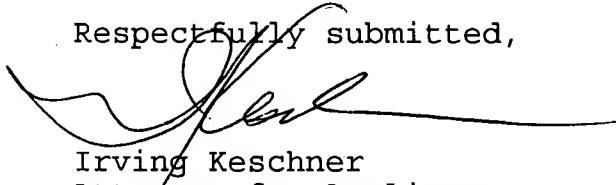
In this case, there is no suggestion in the primary Alpert reference that the secondary references could be combined in a manner to make applicant's remaining claims obvious.

In accordance with applicant's duty to bring relevant prior art to the attention of the Patent and Trademark Office, enclosed

herewith for the examiner's consideration is a copy of Patent No. 5,144,661 to Shamosh et al. This patent, although disclosing techniques for storing video and audio signals for transmission to a remote base, the system is not directed to the use of portable cellular phones to accomplish that function. Further, Shamosh et al requires the use of an external power source, such as an automobile battery, to power the system (source 40 is used only as a backup if the external source fails or is removed).

In view of the above, it is believed that claims 7, 9, 11-13 and 17-19 patentably distinguish over the cited references and Shamosh et al, either singly or in combination, and it is thus requested that the application be passed to issue with these claims therein.

Respectfully submitted,



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